

**MINUTES OF LAYTON CITY
COUNCIL MEETING**

FEBRUARY 18, 2016; 7:02 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, BRUCE DAVIS, TOM
DAY, SCOTT FREITAG AND JOY PETRO**

ABSENT:

JOYCE BROWN

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, DAVID PRICE,
TERRY COBURN, BILL WRIGHT, PETER
MATSON, KENT ANDERSEN AND THIEDA
WELLMAN**

The meeting was held in the Council Chambers of the Layton City Center.

Mayor Stevenson opened the meeting and excused Councilmember Brown. He led the Pledge of Allegiance. Councilmember Petro gave the invocation. Scouts and students were welcomed.

MINUTES:

MOTION: Councilmember Petro moved and Councilmember Davis seconded to approve the minutes of:

**Layton City Council Work Meeting – January 21, 2016;
Layton City Council Meeting – January 21, 2016;
Layton City Council Strategic Planning Work Meeting – January 28, 2016;
Layton City Council Work Meeting – February 4, 2016: and
Layton City Council Meeting – February 4, 2016.**

The vote was unanimous to approve the minutes as written.

CONSENT AGENDA:

**APPOINT KATHY BLACKNER TO THE PARKS AND RECREATION COMMISSION, AND
REAPPOINT SARA BECKSTEAD, RICK BRADY, BILL JOHNSON AND DON WILHELM TO
THE PARKS AND RECREATION COMMISSION – RESOLUTION 16-08**

David Price, Parks and Recreation Director, said Resolution 16-08 would appoint Kathy Blackner to the Parks and Recreation Commission and reappoint Sara Beckstead, Rick Brady, Bill Johnson and Don Wilhelm to their third term on the Parks and Recreation Commission. He said Staff recommended approval.

**APPOINT TRACY CHATWIN, VAUGHN JACOBSEN, BRIGIT GERRARD, DELANEY NALDER
AND DAVID WEAVER TO THE RECREATION, ARTS, MUSEUM AND PARKS (RAMP)
ADVISORY COMMISSION, WITH RICK SMITH SERVING AS AN ALTERNATE –
RESOLUTION 16-09**

David Price said Resolution 16-09 would appoint Tracy Chatwin, Vaughn Jacobsen, Brigit Gerrard, Delaney Nalder and David Weaver to the newly formed RAMP Advisory Commission, and appoint Rick Smith as an alternate member. He said these citizens were selected from 28 candidates that applied to be on the Commission. David said Staff recommended approval.

Councilmember Freitag expressed appreciation to those that were willing to serve on this Commission. He said these were citizens' tax dollars that would provide an opportunity to make improvements to the community.

Mayor Stevenson said each applicant was rated and interviewed; it was a very tough decision. He expressed appreciation to everyone.

COOPERATIVE AGREEMENT WITH UDOT FOR PARTICIPATION IN THE COST TO INSTALL THE NEW WATERLINE KNOWN AS THE HILL FIELD ROAD WATERLINE REPLACEMENT PROJECT – RESOLUTION 16-10

Terry Coburn, Public Works Director, said Resolution 16-10 authorized the execution of an agreement with UDOT for a cooperative agreement for participation in the cost to install the new waterline known by the City as the Hill Field Road waterline replacement project. He said the agreement was in preparation for the upcoming UDOT project, which entailed the resurfacing of Hill Field Road from 1225 North to Highway 193. Terry said the City would design and install a new waterline and UDOT would participate in the cost to install the new waterline, up to the cost that UDOT would have spent to loop the existing 12-inch waterline four times. The estimated cost of each loop was \$12,000 for a total of \$48,000. He said Staff recommended approval.

EXCHANGE OF PROPERTY FOR PUBLIC UTILITY AND DRAINAGE FACILITIES – 730 NORTH MARSHALL WAY – RESOLUTION 16-11

Terry Coburn said Resolution 16-11 was a property exchange agreement for public utility and drainage facilities at 730 North Marshall Way. In 1997, West Hill Field Road was extended to the west and the intersection of West Hill Field Road and Marshall Way was realigned. At that time, the sanitary sewer and culinary waterlines in the public utility easement established with the Layton Industrial Park amended subdivision were also relocated to follow the contour of the street right of way. The relocation and abandonment of the lines left a large easement that was no longer necessary. The property owner had requested that the City vacate the easement to allow for future development of the property. In order to accommodate the City's public utility and drainage needs, the property owner was willing to grant the City a 10-foot public utility and drainage easement that would extend along the entire frontage of the property on West Hill Field Road and Marshall Way. Staff had reviewed the proposal and determined that the easement was adequate to service this and the surrounding properties. Terry said Staff recommended approval.

ON-PREMISE RESTAURANT LIQUOR LICENSE – JJH HOLDINGS INC., DBA CAFÉ SABOR – 200 SOUTH MAIN STREET

Bill Wright, Community and Economic Development Director, said this was an on-premise restaurant liquor license for JJH Holdings, Inc., DBA Café Sabor, which would be located in the historic train station. He said restoration of the building was proceeding with anticipated opening of the restaurant at the end of March. Bill said the location met all buffer requirements and background checks had been approved by the Police Department. The City was very excited to have this addition in the neighborhood. He said Staff recommended approval.

Mayor Stevenson asked about the buffer requirements; was this something the City should look at as the City developed out.

Bill said the buffer requirements were a requirement of State code, but variances could be granted.

FINAL PLAT – HARMONY PLACE PLANNED RESIDENTIAL UNIT DEVELOPMENT (PRUD), PHASE 1 – APPROXIMATELY 2375 WEST GENTILE STREET

Bill Wright said this was final plat approval for the Harmony Place Subdivision, Phase 1, located at approximately 2375 West Gentile Street. The Council approved the preliminary plat in October 2015. Bill said Phase 1 would provide access onto Gentile Street. He said the Planning Commission recommended approval on January 26, 2016, and Staff supported that recommendation.

MOTION: Councilmember Freitag moved to approve the Consent Agenda as presented. Councilmember

Day seconded the motion, which passed unanimously.

Councilmember Freitag asked if there would be a formal swearing in of the RAMP Advisory Commission and the Parks and Recreation Commission.

David said there would be a formal swearing in ceremony for the RAMP Advisory Commission on Monday at their first meeting. The Parks and Recreation Commission would be sworn into office at their meeting in March.

PUBLIC HEARINGS:

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN FOR FISCAL YEAR 2016-2017

Kent Andersen, Deputy Director of Community and Economic Development, said this public hearing was to receive public comment on the CDBG Annual Action Plan; this was the first of two required public hearings.

Kent reviewed information about the CDBG Plan and indicated that it must benefit low to moderate income households. Layton was an entitlement community and received an allocation every year from the Federal Government. He reviewed some of the projects that had been done in the community and indicated that funding was also provided to sub recipients that provided services to residents. Kent said in 2015/2016 the City received \$334,178; sub recipients could only receive 15% of the total award. This year the City received notification that the allocation would be \$341,232. He reviewed info about the home buyer assistance program, which provided \$5,000 grants to new homeowners. Kent said the City had helped 75 households in the past; this was the most sought after program.

Kent displayed a map showing areas where assisted homeowners were located. He said the purpose of the public hearing was to take input about the Plan. He said a second public hearing would be held at a later date. Kent indicated that he had forwarded a letter to the Council from the Road Home as they would not be able to attend this evening.

Mayor Stevenson opened the meeting for public input.

Karlene Kidman indicated that she was representing Layton Community Action Council and the Youth Court. She provided information about the Youth Court. Ms. Kidman thanked the City for their support and asked for continued support.

Mayor Stevenson expressed appreciation to Ms. Kidman for all she did with the youth.

Councilmember Petro asked if they would be seeking additional funding this year.

Ms. Kidman indicated that they would.

Danene Adams, Family Connection Center, indicated that the Family Connection Center provided 11,000 people with services this past year. She said they were seeking funding for their child respite nursery; funding for motel vouchers for homeless; and their Circles program. Ms. Adams explained the various programs they provided.

Mayor Stevenson said he had a situation in his neighborhood that the Family Connection Center had helped with. He thanked Ms. Adams for providing that service.

Ms. Adams said they worked closely with Safe Harbor.

Kendra Wycoff, Safe Harbor Crisis Center, said they were the first and only domestic violence shelter in Davis County. She presented information about the services they provided. Ms. Wycoff expressed

appreciation to the City for past support, and indicated that they would be asking for continued support this year.

MOTION: Councilmember Day moved to close the public hearing. Councilmember Davis seconded the motion, which passed unanimously.

REZONE AND PARCEL SPLIT REQUEST – PRESTON COX – A TO R-S – APPROXIMATELY 257 SOUTH 3200 WEST – ORDINANCE 16-08

Bill Wright said Ordinance 16-08 was a rezone and parcel split request from Preston Cox for property located at approximately 257 South 3200 West. He identified the property on a map and indicated that the property was located on the east side of 3200 West. Bill said the purpose of the rezone and parcel split was to accommodate a new single family parcel that could be developed. He said the General Plan called for low density single family residential development in the area. The proposal met all aspects of the General Plan. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

Mayor Stevenson opened the meeting for public input. None was given.

MOTION: Councilmember Petro moved to close the public hearing and approve the rezone and parcel split request as presented, Ordinance 16-08. Councilmember Day seconded the motion, which passed unanimously.

AMEND TITLE 3, SECTION 3.15.10 (CONSOLIDATED FEE SCHEDULE); AND TITLE 19, SECTIONS 19.06.010, 19.21.020(8) AND 19.21.045 ESTABLISHING REGULATIONS FOR MOBILE FOOD VENDORS – ORDINANCE 16-06

Bill Wright said this was a continuation of the public hearing from the February 4th meeting. He said Ordinance 16-06 was to establish regulations for mobile food vendors. Bill said, since the last meeting, Staff had moved to finalize the ordinance and had removed the ability for food vendors to operate on City streets based on input from the Council at the last meeting. He said Staff recommended approval of Ordinance 16-06.

Mayor Stevenson opened the meeting for public input. None was given.

MOTION: Councilmember Freitag moved to close the public hearing and approve the amendments to Title 3 and Title 19 establishing regulations for mobile food vendors, Ordinance 16-06. Councilmember Davis seconded the motion, which passed unanimously.

AMEND TITLE 18, CHAPTER 18.40, SECTION 18.40.020 – CLARIFYING OWNERSHIP RESPONSIBILITY OF LAND DRAIN SYSTEMS – ORDINANCE 16-01

Gary Crane, City Attorney, said Ordinance 16-01 was a little bit of a technical cleanup. He said it was a reminder that the lateral line from the home to the main in the street was the responsibility of the homeowner. Gary said the land drain system had been missing from that designation in the ordinance; this would clarify that the land drain lateral was owned by the homeowner from the home to the mainline in the street.

Mayor Stevenson said a lot of homeowners interpreted their property line as being a foot behind the sidewalk, or from the sidewalk to the house. He asked if this would push ownership to the curb; where was the defined ownership.

Gary said anything on the homeowner's property belonged to the homeowner, but in addition to that, a lateral from the main connection to the house was the homeowner's responsibility.

Mayor Stevenson opened the meeting for public input. None was given.

MOTION: Councilmember Davis moved to close the public hearing and approve the amendments to Title 18 clarifying ownership responsibility of land drain systems, Ordinance 16-01. Councilmember Petro seconded the motion, which passed unanimously.

Mayor Stevenson asked Gary to update the Council on the Legislative session.

Gary mentioned several issues being addressed by the Legislature and possible impacts to the City.

Council and Staff discussed several bills being addressed.

The meeting adjourned at 8:11 p.m.

Thieda Wellman, City Recorder